

## Message Text

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ACTION AF-08

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15

USIA-15 OMB-01 SCCT-01 EB-07 COME-00 TRSE-00 XMB-04

AID-05 /108 W

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R 260800Z APR 76 ZDK  
FM AMCONSUL DURBAN  
TO SECSTATE WASHDC 2153  
INFO AMEMBASSY PRETORIA  
AMCONSUL CAPE TOWN  
AMCONSUL JOHANNESBURG  
AMEMBASSY MASERU  
AMEMBASSY GABORONE  
AMEMBASSY LONDON  
RMJIISSION USUN NEW YORK 0174

UNCLAS DURBAN 0135

CAPE TOWN ALSO FOR EMBASSY

E.O. 11652: N/A

TAGS: PGOV, SF

SUBJ: TRANSKEI CONSTITUTIDN RELEASED

1. LONG-AWAITED CONSTITUTION FOR THE TRANSKEI WAS RELEASED IN UMTATA APRIL 23. ACCORDING TO INITIAL PRESS REPORTS, THE CONSTITUTION PROVIDES FOR A UNICAMERAL LEGISLATURE COMPOSED OF 75 ELECTED MEMBERS AND 75 TRIBAL CHIEFS SERVING EX-OFFICIO. TITULAR HEAD OF STATE WILL BE A PRESIDENT WITH ACTUAL EXECUTIVE AUTHORITY RESTING WITH PRIME MINISTER AND CABINET. CONSTITUTION REPEALS SOUTH AFRICAN GROUP AREAS AND RESERVATION OF SEPARATE AMENITIES ACTS BUT IMMORALITY, MIXED MARRIAGES, TERRORISM AND SUPPRESSION OF COMMUNISM ACTS AS WELL AS EMERGENCY PROCLAMATION R400 ARE RETAINED FOR THE PRESENT.

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2. CONTROVERSIAL ISSUE OF TRANSKEI CITIZENSHIP APPEARS STILL

UNRESOLVED. AT PRESS CONFERENCE FOLLOWING RELEASE OF CONSTITUTION, PARAMOUNT CHIEF KAISER MATANZIMA REPORTEDLY STATED THAT FOR MANY AFRICANS OF XHOSA AND SOTHO ORIGIN TRANSKEI CITIZENSHIP WILL BE OPTIONAL, WHILE FOR OTHERS, THOSE PRESENTLY CITIZENS OF THE HOMELAND REGARDLESS OF WHETHER THEY LIVE IN THE TRANSKEI OR SOUTH AFRICA PROPER, THERE WILL BE NO OPTION TO REJECT CITIZENSHIP. IN THE FUTURE TRANSKEI CITIZENSHIP WILL BE AVAILABLE TO ALL RACES; ONLY REQUIREMENT WILL BE FIVE YEARS' RESIDENCY IN THE TRANSKEI. TRANSKEI AND SOUTH AFRICAN GOVERNMENTS WILL ESTABLISH JOINT MACHINERY TO DETERMINE CITIZENSHIP IN QUESTIONABLE CASES.

3. COMMENT: WHILE IT IS IMPOSSIBLE TO DETERMINE HOW MANY OF THE 1.3 MILLION AFRICANS OF TRANSKEI ORIGIN NOW LIVING IN SOUTH AFRICA HAVE NOT ACCEPTED OR WILL NOT EVENTUALLY ACCEPT TRANSKEI CITIZENSHIP, THE NUMBER IS POTENTIALLY HIGH. ONE INDICATION IS THAT NONE OF THEM HAS ACCEPTED THE SAG'S OFFER OF A THIRTY YEAR LEASE ON A TOWNSHIP HOME WHICH REQUIRES TAKING OUT HOMELAND CITIZENSHIP. IF THE SAG FINDS ITSELF WITH A LARGE NUMBER OF "EXPATRIATE" TRANSKEIANS, IT WILL IN EFFECT HAVE FAILED TO SOLVE WITH ITS HOMELANDS POLICY THE PROBLEMS OF THE URBAN AFRICAN WHO IS NECESSARY TO RUN ITS ECONOMY BUT WITH WHOM IT DOES NOT WANT TO SHARE EITHER WHITE WEALTH OR POLITICAL POWER.  
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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** PROVINCE, CONSTITUTIONAL AMENDMENTS, CONSTITUTIONAL CONVENTION, PROVINCIAL LEGISLATURES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 26 APR 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976DURBAN00135  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760166-0242  
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**Legacy Key:** link1976/newtext/t19760420/aaaaaqza.tel  
**Line Count:** 85  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION AF  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** buchant0  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 30 AUG 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <30 AUG 2004 by cookms>; APPROVED <15 DEC 2004 by buchant0>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** TRANSKEI CONSTITUTIDN RELEASED  
**TAGS:** PGOV, SF  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006